

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

COPPER SANDS HOME OWNERS
ASSOCIATION, INC., *et al.*,

Plaintiff,

v.

COPPER SANDS REALTY, LLC, *et al.*,

Defendants.

2:10-cv-00510-GMN-LRL

O R D E R

Before the court is defendants, Copper Sands Realty, LLC, Robert Colucci, Dario Deluca, Copper Sands Investors, LP, Renato Deluca, Pacifica Enterprises Holdings, LP, Pacifica Enterprises, Inc., Pacifica Enterprises LLC, Pacifica Real Estate Investments, Inc., Pacifica Real Estate Services, Inc., and Vimark Re Enterprises, LLC's Emergency Joint Motion for Extension of Scheduling Order Deadlines Pursuant to LR 6-1 and LR 26-4 (#163). Defendant Manietta Electric Inc. filed a Joinder (#164) to the Motion (#163). The court has considered the motion, plaintiffs' Objection (#167) and Opposition (#198), and defendants' Reply (#216).

Also before the court are plaintiffs' Motion to Extend Discovery for Plaintiffs Due To Defendants, Countrywide Home Loans, Inc.'s Pending Motion (#5) to Dismiss Second Amended Complaint (#208), to which defendant Countrywide Home Loans, Inc. filed an Opposition and Counter-Motion to Extend Discovery (#234);¹ plaintiffs' Motion to Extend Discovery for Plaintiffs Due to

¹The docket reflects that Reply (#241) is in reply to the Opposition (#234). The substance of the Reply (#241) reveals, however, that it is in reply to Opposition (#232), which relates to a different motion in this matter.

1 Defendant, Defendants's [sic.] Pending Objection and Request for Relief from the Magistrate's Denial
2 of the Motion to Strike Discovery, or In the Alternative for Protective Order (#211), to which defendants
3 filed an Opposition (#244); plaintiffs' Motion to Extend Discovery for Plaintiffs Due to Defendant,
4 Plaster Development Company, Inc.'s Failure to Disclose over 20,000 Documents (#213), to which
5 defendant Plaster Development Company, Inc. filed an Opposition (#217); and defendant, Irwin
6 Mortgage Corporation's Request for Permission to Attend the Settlement Conference by Telephone
7 (#248).

8 Pursuant to the court's March 10, 2011, Scheduling Order (#124) on stipulation, discovery cutoff
9 was June 1, 2011. On March 31, 2011, the court dismissed without prejudice the plaintiffs' eighteenth,
10 nineteenth, twentieth, and twenty-first causes of action, with leave to amend. Order (#134). On April
11 13, 2011, this matter was referred to the undersigned to set a settlement conference. Minute Order
12 (#149). The court thereafter entered an Order (#157) Scheduling a Settlement Conference for July 11,
13 2011. On April 26, 2011, plaintiffs filed a third Amended Complaint (#154). On May 13, 2011,
14 defendant Manietta Electric, Inc., filed its Answer (#168) to the third amended complaint and asserted
15 a crossclaim against Copper Sands Realty, LLC, Pacifica Enterprises, Inc., Pacifica Real Estate
16 Services, Inc. Additionally, several discovery related motions remain outstanding, as well as defendants'
17 Objection (#145) and Request for Relief from the Magistrate's Denial of the Motion to Strike
18 Discovery, or in the Alternative for Protective Order (#127). The court in its discretion will amend its
19 scheduling order as to all remaining deadlines and, finding that a settlement conference at this time is
20 premature, vacate its order scheduling a settlement conference.

21 Accordingly,

22 IT IS ORDERED that defendants' Emergency Joint Motion for Extension of Scheduling Order
23 Deadlines Pursuant to LR 6-1 and LR 26-4 (#163) is **GRANTED**.

24 IT IS FURTHER ORDERED that plaintiffs' Motion to Extend Discovery for Plaintiffs Due To
25 Defendants, Countrywide Home Loans, Inc.'s Pending Motion to Dismiss Second Amended Complaint
26 (#208) is **denied without prejudice**. Plaintiffs may, if necessary, re-file the motion upon the court's

1 ruling on the Motion to Dismiss (#5).

2 IT IS FURTHER ORDERED that plaintiffs' Motion to Extend Discovery for Plaintiffs (#211)
3 is **denied** as moot.

4 IT IS FURTHER ORDERED that plaintiffs' Motion to Extend Discovery for Plaintiffs Due to
5 Defendant, Plaster Development Company, Inc.'s Failure to Disclose over 20,000 Documents (#213)
6 is **denied** as moot.

7 IT IS FURTHER ORDERED that the court's Order (#157) Scheduling Settlement Conference
8 is **vacated**.

9 IT IS FURTHER ORDERED that defendant, Irwin Mortgage Corporation's Request for
10 Permission to Attend the Settlement Conference by Telephone (#248) is **denied** as moot.

11 FINALLY, IT IS ORDERED that the scheduling order is hereby modified to reflect the
12 following deadlines:

| | | |
|----|-----------------------|--------------------|
| 13 | Discovery cutoff | September 29, 2011 |
| 14 | Dispositive motions | October 29, 2011 |
| 15 | Interim Status Report | August 2, 2011 |
| | Joint Pretrial Order | November 29, 2011 |

16 DATED this 1st day of July, 2011.

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19 **LAWRENCE R. LEAVITT**
20 **UNITED STATES MAGISTRATE JUDGE**